

Amendment Under 37 C.F.R. § 1.111
US App'n No. 09/414,507

Docket No. Q56144

REMARKS

Applicants thank the Examiner for withdrawing the rejections of the July 26, 2004 Final Office Action.

Status of the Application

All of the pending claims 1-32 in the instant Application stand rejected. Independent claims 1, 2, 11 and 12 are hereby amended to clarify the features of the invention.

Claim Objections

The Examiner has objected to claim 12 due to a typographical error. The typographical error is hereby corrected in a non-limiting manner. Thus, withdrawal of the objection is respectfully requested.

Claim Rejections

The Examiner has rejected: (1) claims 1, 2, 9-12, 19-27 and 29-31 under 35 U.S.C. § 102(e) as being anticipated by *Aizawa et al.* (US 6,452,629 B1; hereinafter "*Aizawa*"); (2) claims 3-8 and 13-18 under 35 U.S.C. § 103(a) as being unpatentable over *Aizawa* in view of JP 09-046577 (hereinafter "*JP '577*"); and (3) claims 28 and 32 under 35 U.S.C. § 103(a) as being unpatentable over *Aizawa* in view of *Steinberg et al.* (US 6,006,039; hereinafter *Steinberg*). These rejections are respectfully traversed.

Independent Claims 1, 2, 11 and 12

The Examiner takes the position that *Aizawa* discloses all of the features of independent claims 1, 2, 11 and 12, specifically citing the method depicted in FIG. 4 of being of relevance.

Applicants respectfully disagree, and submit that *Aizawa* fails to teach or suggest "waiting for a program transmitting command from an external recording medium, where the

Amendment Under 37 C.F.R. § 1.111
US App n No. 09/414,507

Docket No. Q56144

program transmitting command is the first communication between the digital camera and the external recording medium,” as recited in the independent claims.

Rather, the portion of *Aizawa* alleged by the Examiner to be similar to the recited “program transmitting command” (Step S104 in FIG. 4) can only reasonably be read as disclosing a procedure where the camera contacts the PC to obtain information regarding the program to be added (S405-S406). This is opposite to the claimed arrangement, where the first communication is from the “external recording medium” to the camera.

Thus, Applicants respectfully submit that independent claims 1, 2, 11 and 12 are patentable over the applied reference.

Further, Applicants respectfully submit that rejected dependent claims 3-10 and 13-32 are allowable, *at least* by virtue of their dependency, and that the secondarily applied references, *JP '577* and *Steinberg*, fail to teach or suggest the deficiencies of *Aizawa* noted above.

Thus, Applicants respectfully request that the Examiner withdraw this rejection.

Conclusion

In view of the foregoing, it is respectfully submitted that claims 1-32 are allowable. Thus, it is respectfully submitted that the application now is in condition for allowance with all of the claims 1-32.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment Under 37 C.F.R. § 1.111
US App n No. 09/414,507

Docket No. Q56144

Please charge any fees which may be required to maintain the pendency of this
application, except for the Issue Fee, to our Deposit Account No. 19-4880.

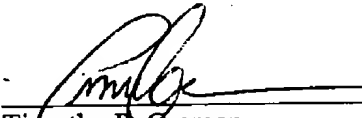
Respectfully submitted,

SUGHER MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER


Timothy P. Cremen
Registration No. 50,855

Date: July 11, 2005